

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF OKLAHOMA

KATHERINE LUNA,

Plaintiff,

v.

AMERICAN NATIONAL PROPERTY  
AND CASUALTY COMPANY,  
a foreign insurance company,

Defendant.

Case No.: 14-CV-412-KEW

**NOTICE OF REMOVAL**

American National Property and Casualty Company, Defendant in the above cause, files its Notice of Removal of this proceeding from the District Court of Adair County, State of Oklahoma, in which it is now pending, to the United States District Court for the Eastern District of Oklahoma, and says:

1. This proceeding was commenced in the District Court of Adair County, State of Oklahoma, on August 27, 2014. This action is one of a civil nature.
2. The Oklahoma Insurance Department received service of the Petition and Summons on September 4, 2014.
3. Subject matter jurisdiction exists under 28 U.S.C. §1332 as the amount in controversy exceeds \$75,000.00 and the parties are diverse.
4. **Amount in Controversy.** The matter in dispute exceeds the sum of \$75,000, exclusive of interest and costs, as the Prayer for Damages in the Petition seeks “the

sum of \$33,081.65 with interest thereon as allowed by law, plus *additional damages in excess of the amount required for diversity jurisdiction* pursuant to Section 1332 of Title 28 of the United States Code, including but not limited to ‘bad faith’ damages and punitive damages...” (Emphasis added.) (See Petition, attached as Exhibit 1. See also Exhibit 2, which includes a copy of all process, pleadings, and other orders relating to the proceeding and/or served upon the Defendants in State Court.)

5. **Diversity of Citizenship.** Plaintiff is a citizen of the State of Oklahoma. Defendant, American National Property and Casualty Company, is a Missouri corporation with its principal place of business in Springfield, Missouri.
6. Defendants pray for the removal of the above entitled cause from the State Court to this Court.

Dated this 22th day of September, 2014.

**CATHCART & DOOLEY**

s/W. R. Cathcart

W. R. Cathcart, OBA #1566

Virginia Cathcart Holleman OBA #15422

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**Certificate of Service**

The undersigned hereby certifies that a true and correct copy of the above and foregoing was mailed postage prepared this 22th day of September, 2014, to:

Rusty Smith, OBA #19575  
Brennan, Smith & Cherbini, PLLC  
Post Office Box 1067  
Cherokee, Oklahoma 74402-1067  
Phone: 918-687-4400  
Fax: 918-684-4430

s/W. R. Cathcart

W. R. Cathcart